

Legislative Rule-Making Review Committee
Minutes for Thursday, December 19, 2019

Senate Judiciary Committee Room
9:00 a.m. to 9:00 p.m.

Senate

Maynard, Chair	Present
Baldwin	
Jeffries	Present
Rucker	Present
Sypolt	Present
Weld	
Carmichael, Nonvoting	

House

Foster, G., Chair	Present
Butler	Present
Fleischauer	Present
Martin, P.	Present
Rowe	Present
Steele	Present
Hanshaw, Nonvoting	

The Legislative Rule-Making Review Committee met in the Senate Judiciary Committee Room at 9:00 a.m. on Thursday, December 19, 2019. The meeting was called to order by the Chair, Senator Maynard. A silent roll call was taken by the Clerk to establish a quorum, as reflected above. Staff present included: Arlie Hubbard, House Counsel; Cindy Dellinger, House Counsel; Robert Akers, House Counsel; James Fuerhoff, Director of Legislative Rule-Making Review Committee; and Felisha Sutherland, Committee Clerk.

The first order of business was consideration of the following legislative rules:

1. Arlie Hubbard, Associate Counsel, explained his abstract on the rule proposed by the **Professional Surveyors, Examination and Licensing of Professional Surveyors in West Virginia, 23 CSR 01**.

On motion of Delegate Foster, the agency agreed to modifications were adopted.

On motion of Delegate Foster, the rule was approved as modified.

2. Cindy Dellinger, Associate Counsel, reviewed his abstract on the rule proposed by the **Department of Health and Human Resources, Primary Care Center Uncompensated Care Grants, 64 CSR 70** and responded to question from the Committee.

With leave of the Committee, Bill Crouch, Secretary of the Department of Health and Human Resources, responded to questions from the Committee.

On motion of Delegate Foster, the agency agreed to modifications were adopted.

On motion of Delegate Foster, the rule was approved as modified.

3. Cindy Dellinger, Associate Counsel, explained his abstract on the rule proposed by the **Department of Health and Human Resources, Primary Care Seed Money Grants, 64 CSR 71.**

On motion of Delegate Foster, the rule was approved as filed.

4. Cindy Dellinger, Associate Counsel, reviewed his abstract on the rule proposed by the **Psychologists, Consideration of Prior Criminal Convictions in Initial Licensure Determinations, 17 CSR 07**, and responded to question from the Committee.

On motion of Delegate Foster, the agency agreed to modifications were adopted.

On motion of Delegate Foster, the rule was approved as modified.

5. Cindy Dellinger, Associate Counsel, explained his abstract on the rule proposed by the **Respiratory Care, Consideration of Prior Criminal Convictions in Initial Licensure Determinations, 30 CSR 10.**

On motion of Delegate Foster, the rule was approved as filed.

6. Cindy Dellinger, Associate Counsel, reviewed his abstract on the rule proposed by the **Veterinary Medicine, Organizations and Operation and Licensing of Veterinarians, 26 CSR 01.**

On motion of Delegate Foster, the agency agreed to modifications were adopted.

On motion of Delegate Foster, the rule was approved as modified.

7. Cindy Dellinger, Associate Counsel, explained his abstract on the rule proposed by the **Veterinary Medicine, Registration of Veterinary Technicians, 26 CSR 03**, and responded to question from the Committee.

With leave of the Committee, Patricia Holstein, Executive Director of the Board of Veterinary Medicine, responded to questions from the Committee.

On motion of Delegate Foster, the agency agreed to modifications were adopted.

On motion of Delegate Foster, the rule was approved as modified.

8. Cindy Dellinger, Associate Counsel, reviewed his abstract on the rule proposed by the **Veterinary Medicine, Schedule of Fees, 26 CSR 06**, and responded to question from the Committee.

Delegate Steele moved to amend the rule as follows:

On page 2, Section 3.6, by striking out "\$100.00" and inserting in lieu thereof "\$10.00";

On page 2, Section 3.7, following the word "Veterinary", by inserting the word "Technician";

On page 2, Section 3.7, by striking out "\$80.00" and inserting in lieu thereof "\$5.00";

On page 2, Section 3.8, by striking out "\$25.00" and inserting in lieu thereof "\$2.00";

On page 2, Section 3.9, following the word "inactive", by striking out the word "license" and inserting in lieu thereof the word "registration";

And,

On page 2, Section 3.9, by striking out “\$80.00” and inserting in lieu thereof “\$6.00”.

With leave of the Committee, Monica Patton, Registered Veterinary Technician, Secretary/Treasurer for the Board of Veterinary Medicine, responded to questions from the Committee.

With leave of the Committee, Patricia Holstein, Executive Director of the Board of Veterinary Medicine, responded to questions from the Committee.

Delegate Steele agreed to accept the technical changes suggested by Senator Sypolt.

Delegates Steele’s motion to amend was adopted.

On motion of Delegate Foster, the agency agreed to modifications were adopted.

On motion of Delegate Foster, the rule was approved as modified and amended.

9. Robert Akers, Associate Counsel, explained his abstract on the rule proposed by the **Oil and Gas Conservation Commission, Rules of the Commission, 39 CSR 01**, and responded to question from the Committee.

On motion of Delegate Foster, the agency agreed to modifications were adopted.

On motion of Delegate Foster, the rule was approved as modified.

With no further business to come before the Committee, Delegate Foster moved to adjourn. The motion was adopted.